

No. 11(112)-80-8Lab/13051.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Sudhir Engineering Industries, Rohtak.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 106 of 1980

between

SHRI VIJAY SINGH, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING
INDUSTRIES, ROHTAK

Present :—

No one for the workman.

Shri M.M. Kaushal for the management.

AWARD

This reference No. 108 of 80 has been referred to this court by the Hon'ble Governor,—vide his order No. ID/RTK/44-80/30649, dated 20th June, 1980, under section 10(i)(c) of the I. D. Act, 1947 for adjudication of dispute existing between Shri Vijay Singh, workman and the management of M/s Sudhir Engineering Industries, Rohtak.

The term of reference was :—

Whether the termination of services of Shri Vijay Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference notices, as usual were sent to the parties. Shri M.M. Kaushal, representative of the management appeared for the management but none appeared for the workman despite of the service of notice to him through his authorised representative Shri B. S. Panchal. The proof of service is attached with the file of reference No. 105 of 1980. *ex-parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex-parte* evidence of the management to be recorded on the 4th November, 1980. On 4th November, 1980, *ex-parte* evidence of the management was recorded. Shri Randhir Nagpal partner of the respondent was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 3rd April, 1980 which is Exhibit MW-1/1 and which bears my signature at point A' and the signature of the workman at point B'. Under the terms of settlement the workman has taken his dues and put his signature on the revenue stamp at point C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and more so when it is made in *ex-parte* proceedings. When the workman did not appear to pursue his claim against the management, the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to costs.

Dated, the 5th November, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 2803, dated 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the I. D. Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.